Scott. II-27—23,006—24-12-32.

Revenue (1933) Department.

M8 SERIES.

G.O. ~~No.~~ Letter 1266-67

DATED 17.7.1933

9

[Despatch Abstract.]

Land (Bellary) - Bellary cantonment - Bus stand - Transfer to the Municipal Council.

Cantonments/Lands.

No.1223/L/A.D.4.
Government of India.
ARMY DEPARTMENT.
New Delhi, the 15th November 1932.

D1 Rv 40301
22/11/32
22/11/32

To
The Secretary to the
Government of Madras,
Revenue Department.

Military land used as a bus stand in Bellary.

Sir,

I am directed to forward a copy of a memorandum No. S/22/3/M.E.O., dated the 1st October 1932, from the Military Estates Officer, Poona, relating to the bus stand in Bellary now used by the local Municipality.

2. The Government of India do not consider it desirable that the present arrangement under which the local municipality makes a payment of Rs.45/- a year for the land should be continued. They consider that it would be preferable to extinquish the present system in favour of an immediate payment of a lump sum by the municipality. I am to request that the Government of India may be informed whether the Local Government and local municipal authority have any objection to the proposal and, if not, what sum is payable to the Government of India.

2. A copy of Army Department letter No.1618-A.D.4., dated 27th June 1929, is forwarded for reference

I am, Sir,
Your most obedient servant,

Colonel,
Director, Military Lands and Cantonments.
No.1223/L/1-A.D.4.

Copy to:-
The General Officer Commanding-in-Chief, Southern Command.
The Inspecting Officer, Military Lands and Cantonments, Southern Command, with reference to his memorandum No.24738/17/M.L.C., dated 3rd October 1932.

No.1223/1/A.D.A.

Government of India.

Army Department.

New Delhi, the 1st November 1932.

To

The Secretary to the
Government of Madras,
Revenue Department.

Military land used as a mess stand in Bellary.

I am directed to forward a copy of a memorandum No. S/82/3/M.I.O. dated the 1st October 1932, from the Military Estates Officer, Poona, relating to the mess stand in Bellary now used by the local Municipality.

2. The Government of India do not consider it desirable that the present arrangement under which the local Municipality makes a payment of Rs.45/- a year for the land should be continued. They consider that it would be preferable to substitute a lump sum by the municipality. I am to request that the Government of Madras may be informed whether the Local Government and local municipality have any objection to the proposal and, if not, what sum is payable to the Government of India.

Copy of Army Department letter No.1810-A.D.A. dated the 27th June 1932, is forwarded for reference.

I am, Sir,
Your most obedient servant,

Director, Military Lands and Cantonments.

No.1223/1/A.D.A.

Copy to.

The General Officer Commanding-in-Chief, Southern Command.
The Inspecting Officer, Military Lands and Cantonments, Southern Command, with reference to his memorandum No.24/38/17/ M.L.C., dated 3rd October 1932.

Cantonments/Lands.

No.1618-A.D.4.
Government of India.
ARMY DEPARTMENT.
Simla, the 27th June 1929.

To

The General Officer Commanding-in-Chief
Southern Command.

Transfer from Class "B-5" to Class "C" of land on which a Cantonment Bus stand has been erected in the Bellary Cantonment.

Sir,

I am directed to refer to your letter No.24738/11/M.L.C. dated 10th June 1929, and to say that, with reference to Rule 6 of the Cantonment Property Rules, 1925, the Government of India sanction the transfer to the Cantonment Authority, Bellary, of the plot of land, measuring 0.45 acre (as shown in the enclosed plan), on which a Bus stand has been erected by that Authority, on payment of Rs.45/- per annum.

2. The land will vest in the Bellary Cantonment Authority in accordance with Section 108 of the Cantonments Act, 1924, and is hereby transferred from Class B(5)" to Class "C" under the Cantonment Land Administration Rules, 1925.

I am, Sir,
Your most obedient servant,

Sd/- R.H. Palin,

Colonel,
Director, Military Lands and Cantonments.

No.1619-A.D.4.

Copy of the above forwarded to:-

The Financial Adviser, Military Finance, for communication to the Military Accountant General, the Director of Army Audit, the Accountant General, Madras, and the Controller of Military Accounts, Madras District, with reference to M.F.U.O. No.4227/Q, dated 20.6.29.

The Inspecting Officer, Military Lands and Cantonments, Southern Command.

Sd/- R.H.Palin,

Colonel,
Director, Military Lands and Cantonments.

Copy of a memorandum from the Military Estates Officer, Bombay Circle, Poona, to the Inspecting Officer, Military Lands and Cantonments, Southern Command, No.S/22/3/M.E.O., Dated the 1st October 1932.

Military Land used for Bus Stand in Bellary.

Reference your No.24738/16/M.L.C., dated the 4th May 1932.

In dealing with the question of disposal of military properties at Bellary the following case was found which is hereby reported to you for final orders.

A piece of land in the late Cantonment of Bellary, measuring 0.45 acre, was transferred to and vested in the then Cantonment Authority for the use of a bus stand under Section 108(f) of the Cantonments Act, 1924, on payment of an annual rent of Rs.45/- to Government (vide Army Department letter No.1618-A.D.4., dated the 27th June 1929).

The bus stand being the property of the late Cantonment Authority was borne on their Immovable Property Register and was transferred to the Local Municipality when the Cantonments Act was withdrawn from Bellary. The Municipality has paid in the rent up to date.

As the question of the disposal of Military land at Bellary is under consideration this office may please be informed how the land on which the bus stand is erected should be treated, i.e.

(1) whether the Local Municipality should be allowed to hold the land so long as it is required by them subject to the payment of yearly rent of Rs.45/- or

(2) whether the land should be relinquished in favour of the Municipality under Rule 17(IV) of the Complementary Land Rules. If so, on what terms and conditions.

Arrangement in (1) above would probably be inconvenient to both the parties and it would be preferable to make the land over to the Municipality on immediate payment of a lump sum.

6

Rev. Dept.

Memo. No. 4030 2/32-1d. 10.12.32

Land (Bellary) - Bellary Cantonment Bus stand - transfer to the Municipal Council

Rev. 1.2.33
4.3.33 20.2.33 11.3.33
1.4.33 [illegible] 6.4.33

The Municipal Council, Bellary is paying a rent of Rs 45/- a year to the Military authorities for a piece of land measuring [illegible] the bus stand [illegible]. (45 cents which is being used by it as a)

[illegible] and they do not consider it desirable that the present arrangement should be continued but desire to extinguish it in favour of an immediate payment of a lump sum by the Municipal Council. They wish to be informed whether the Local Govt. and the Municipal Council have any objection to the proposal and if not, they wish to know what sum is payable to them. The Cant. authority had erected the bus stand on the land and the Govt. of India sanctioned its transfer to the

7

Cant. authority in 1929 under rule 6 of the Cant. Property Rules, 1925, and vested the land in their authority under sec. 108 of the Cantonments Act, 1924. The buy stand was borne in the Cant. Authority's immovable property register and was transferred to the Municipal Council when the Cantonments Act was withdrawn from Bellary. The Board is requested to report :-

(i) the survey number and area of the buy stand and how it is entered in the revenue accounts ;

(ii) whether it was on the unconditional acceptance of the factory during 1931 and 1932 and if not ;

(iii) if not, whether there is any objection to the proposal if the factory does not, there is any other amount should be paid to the factory and whether the Municipal Council is willing to pay it ;

If however the Municipal Council prefers to purchase the land the Board is requested to report the market value of the land and the conditions on which it should be sold to the Municipal Council.

JRD 30.11.32

Dpd. by Post

initials

Date 3/12

To the Board of Rev
LOR 8

8

C.F. 31

Revenue **DEPARTMENT.**

D/

CURRENT No. 1560-D

Received ..... 192 Registered 29433 192 28.4.33

ASSISTANT SECRETARY TO GOVERNMENT 29 APR 1933 REVENUE DEPARTMENT

Subject.

Land- (Bellary)- Bellary cantonment - Bus stand- Transfer to the Municipal Council.

ENCLOSURES.
No.....
.....
Spare copies.....

Reference.. No. B 6840/32-2

Station Madras, *Dated the* 27th April 1933 192 .

From A.R.MacEwen Esq., M.C., I.C.S.,
Secretary,
Land Revenue and
The Board of Revenue, ~~Revenue~~ Settlement, ~~etc.~~
~~Separate Revenue.~~

The Hon.Mr.C.B.Cotterell, C.I.E., I.C.S.,
Commr.of Land Revenue. -

~~Resolution~~
~~Reference.~~

Read the following:-

I

abpp 6-7 ante Memorandum from Government, Revenue Department, No.4030 D/32-1, dated 1st December 1932.

II

ne Board's reference No.B 6840-32-1, dated 8-12-1932.

III

abp 7 infra Letter from F.W. Stewart Esq., C.I.E., I.C.S., Collector of Bellary, Ref.C.No.7030/32 A2 dated 13-4-1933.

Reference.-

Submitted to Government.

2. The further report promised by the Collector is awaited.

for Secretary.

To the Secretary to Government, Revenue Deptt.
To the Collector of Bellary, para.2 only.

M.D.28-4

Copy of letter from F.W.Stewart Esq., C.I.E., I.C.S., Collector of Bellary, Ref C.No. 7030/32 A2 dated 13-4-1933:-

Reference.- Board's No. B 6840-32-1, dated 8-12-32.

The survey field in which the bus stand is located is S.No. 522 A registered as village site poramboke measuring 459-55 acs. As the ground occupied by bus stand forms a portion of the field, it has been sub divided and measures 46 cents not 45 cents. The land was in the unconditional occupation of the Government of India on 1-4-21. The value of the site is estimated at Rs.1113 1/5 calculated at 0-8-0 per square yard. Regarding the purchase of the land, the Municipal Council Bellary has been addressed in the matter. A further report will be submitted on receipt of reply from the Chairman, Municipal Council, Bellary.

M.D.28--4

10

Rev. Dept

1/11/5

Memo. No 4030 D/32-2 d. 10.

14/12/5

Land (Bellary) - Bellary
ment - Bus stand - Trans
the Municipal Council -

Ref 8-9 cs

Refce No. B. 6840/32-2 d 2

By 11/5

pgcs

In his letter Ref C. No. 7030/32 A2
13.4.33 ~~the Collr of~~ submi
with the Refce of the Board
quoted above, the Collr of Bell
reports that the survey field in
which the bus stand is located
S. No. 522 A measuring 459.55
and that the portion occupied by
bus stand has been subdivided.
the ~~x~~ bldg of poramboke and was
lands in the Bellary Cant. sub
with the Refce of the Bd of Rev
nos B 5673/31-2 d. 20.11.31 and
B. 5673/31-4 d. 18.5.32 no such
survey no. as 522 A is mention
It is apparently a clerical error
for S. No. 522/1 the area of which is
459.55 acres ~~the Board is requested~~
~~to report in what portion of the~~

x (K)(M)+(N) in
para III below

a+b para I + II(c)
in para III below

~~of the bus stand & sub division number.~~ In the list of poramboke & waste lands sent to the Military authorities with the Govt. letter No. 3162 D/31-3 dy 19.7.32 (Copy of which was sent to the Board with Govt Memo No. 3162 D/31-6 dy 18.10.32), an extent of 253.43 acres ~~in~~ in shown as village site & S No. 522/1 is included under the heading 'poramboke' The remaining area of the field viz 206.12 acres was excluded from the list as containing buildings or ~~covered~~ covered by land belonging to the Military authorities. The Board of Revenue is requested to ascertain & report whether the bus stand in question is situated in the portion ~~area~~ of the field classed as 'poramboke' or in the remaining portion of the field belonging to the Military Dept.

2. The Board is also requested to report the Subdivision No of the bus stand

Dy
10.5.33

Rec'd by ... Dist. Records
Dy's initials
Date 1-8-33

To the B.D. L.R.S

12

C.F. 31.

Revenue DEPARTMENT.

D,

CURRENT No. 2280D

Received ..... 192 *Registered* 5733 192

5/7

Subject:

Land- (Bellary)- Bellary cantonment- Bus stand- Transfer to the Municipal Council.

ENCLOSURES.
No. .....
.....
Spare copies .....

Reference...No. B 6840/32--4

Station Madras, *Dated the* 3rd July 1933 192.

From A.R.MacEwen Esq.,M.C.,I.C.S.
Secretary,

Land Revenue.
~~The~~ Board of Revenue, ~~Revenue~~ Settlement, ~~etc.~~
~~Separate Revenue.~~

The Hon.Mr.C.B.Cotterell, C.S.I.,C.I.E.,I.C.S.,
Commr.of Land Revenue.

~~Resolution~~
~~Reference.~~

Read the following:-

I

ab/Bo 8-9 ante Board's reference No.B 6840-32-2, dated 27th April 1933.

II

/ ab/Bo 10-11 ante Memorandum from Government, Revenue Department, No.4030 D/32-2, dated 10th May 1933.

III

Letter from F.W.Stewart Esq., C.I.E.,I.C.S., Collector of Bellary, D. Dis. C.No.7030/32, dated the 24th June 1933:-

ab/Bo 8-9 ante Reference.- Board's reference No.B 6840-32-2 dated
ne 27-4-33 and No.B 6840-32-3 dated 22-5-1933.

The correct survey field in which the bus stand is located is S.No. 522/1 of Bellary measuring 459.55 acres. It is situated in the portion of the field classed as porambok

2. The portion sub divided as bus stand is treated as an independent field bearing S.No. 965, the last number of the village having been assigned to it.

3. The Municipal Council, Bellary, expresses its inability to purchase the bus stand till its finances improve. A copy of the resolution of the Council in the matter is enclosed. There is a considerable sum due from the Army Department to the Council as property tax, I believe.

4. The reminder received from the Board is enclosed.

Extract from proceedings of the Municipal Council passed at its meeting held on Monday the 29th May at 5-30 P.M. in the Municipal office, Bellary.-

58. Letter No.7030/13-4-33 from the Collector of Bellary enquiring whether the Council is prepared to purchase the Bellary cantonment bus stand measuring 46 cents for Rs.1113.1/5 and to the payment of ground rent thereon at Rs.6-4-0 per acre thereon subject to revision.

Resolution.- The Council will consider the question of purchase when its finances improve.

A

Reference.-

Submitted to Government.

for Secretary.

To the Secretary to Government, Revenue Deptt.

M.D. 4--7

14

Rev. Dept

C.No. 4030 D/32 Subject – Land (Bellary) – Bellary – Bus stand – transfer to the municipal Council

Papers put up
S.O. No. 481 Land (Genl)
d. 5-2-30
1260 .. 21.3.30
1852 Secy d. 12.5.30

from the Govt of India Army Dept. No. 1223/1/A.D.4.
d. 15.11.32

Do Asst. Secy

Please see the letter from the Govt of India and its enclosures in the C.J. Information is not available from the papers any of the reports relating to the lands in the Bellary Cantonment whether the land in question was in the unconditional occupation of the Govt of India on 1.4.21. This Govt were not informed till now of the transfer of the land to the Cant. authority by the Govt of India.

vide p 3 C

2. On the abolition of the Cantonment the land has been transferred along with other Cant. property to the municipal Council under Sec. 60 (1) of the Cantonments Act, 1924 and therefore the land now vests in the municipal Council subject to the conditions on which it was in the Cantonment authority viz. payment of an annual rent of Rs 45 to the Govt of India and the conditions mentioned in rule 6 Cant. Property Rules. Under these conditions the Govt of India may resume the land if it is not used for the object for which it was or if there has been any other breach

vide p 8 of the Rules put up

p 3 C

vide pp 78-79 of the Cantonment Manual – Book Library

15-2

2

conditions on which it was transferred or if the land is required for a general public purpose. The Forest Deptt now propose to extinguish the present system under which the Municipal Council pays an annual rent of Rs 45 to them for the land in favour of an immediate payment of a lump sum by the Municipal Council. p 1c?

3 The payment of a lump sum for extinguishing the annual payment alone will not relieve the Municipal Council of the conditions subject to which the land vests in it. It will be better therefore for the Municipal Council to get an outright sale of the land from the Forest Deptt if it was in fact unconditional occupation on 1.4.21. A report may be called for from the Board. A draft O.M. is subd.

DRD
26.11.32

Noted
28/11
S

Thus sending an indirect mass of correspondence as enclosures is a bad habit and must cease

Draft a self. contained one.

29/11

Draft memo submitted
Noted
1.12.32
S

1/12

No. 4030 E/32-dt 1.12.32) p 6-7 cs

I Vb

pp. 8-9 c/f from the Bor Yp Rev. 2 R 25. Ref

B. 6540/32-a d. 27.-.33

Do Asst. Secy.

Please see the Board's Refce at pp. 8-9 c/f. The Collr. may be asked to report the subdivision under of the two stand along with his further report. A draft letter is subd

D.RD
2.5.33

~~How a S.No. 522 A claim~~

What is the claim for S.No. 522 A adopted in the list of waste & poramboke lands sent to the Military authorities?

Dy
3.5.33

(The clerk will have examined this in the first instance. MR 12/5)

Do Asst. Secy.

S.No. 522 A in the Collr's report at page 9 c/f. appears to be a clerical error for S.No. 522/1 the area of which is 459.55 acres. No such ~~stand~~ survey number as 522 A is mentioned in any of the lists of poramboke and waste lands in the Bellary Cantonment subd. by the Board

2. In the list of poramboke and waste lands sent to the Military authorities only a portion of S.No. 522/1 measuring 253.43 acres has been classed as village-site poramboke. The remaining area of 206.12 acres of the field is covered by

vide p. 11 c/f in file III below

vide lists (K) (M) & (N) in file III below

vide p. 29 c/f in file III below

—do—

17

the area of the Upper Fort and Fort moat reserve and the plinth area of the buildings in the old Kharkana lines and the old Saddle Room and Pharmacy. The Collr. has not reported in what portion of the field the bus stand is but he has stated that it was in the unconditional occupation of the F.G.I. on 1.4.21. Even if it be in the portion of the field classed in the list sent to the military authorities as poramboke the claim of the F.G.I. will have to be admitted in view of the Collr's report.

Ask Collr to report on this point also drawing his attention to the list of waste & poramboke lands

Add to the draft

[illegible]
8.5.33

The list of poramboke & waste lands with their area to be altered

[illegible]

D.R.D.
5.5.33

Do Asst. Secy

A draft memo. to the B'd is subd.

D.R.D.
9.5.33

Issue as amended

[illegible]
10.5.33

(Memo. No. 4030 D/32-2 d. 10.5.33) at f/p 10-11 C

From the Board of Rev. & R.S. Rep. Rep.

B 6840/32-4 d. 8.7.33 at f/p 12-13 C

Do Asst. Secy.

Please see the Board's report at pp 12-13 C. The Collr. reports that the bus stand is in the portion of the f[illegible] (S.No. 522/1) classed as "poramboke" in the list of poramboke and waste lands in the old Cantonment of Bellar[illegible]

f/p 13 C

vide item 27 at p 20 C ante

sent to the S.O.C.-in-Chief, Southern Command for acceptance. In his letter at page 9 C/f the Collr. has reported that the plot occupied by the bus-stand was in the unconditional occupation of the Govt. on 1.4.21. The claim of the Govt to it may be admitted and they may be informed ~~treat~~ of the reply of the Municipal Council. A draft order and letter are submitted.

2 The S.O.C.-in-Chief may be asked to include the plot which has been subdivided and numbered as S.No. 965 in the list of poramboke and waste lands sent to him under "~~II~~ I. ~~Unclassed waste~~." and alter the area of S.No. 522/1 shown under "III. Porambokes" from 253.43 acres to 252.97 acres. A draft letter to the S.O.C.-in-Chief is subd. in linked file.

p. 13 C/f

vide p. 27 C/f in linked file

ORD
10.7.33

11.7.33

S

13.7.33.

13/7

14/7

C/f
14.7.33

Sectt. Form-5 (a)

20

Rev. DEPARTMENT.

	Date.	Initials.
When received for Fair-copying.		
When copied ..		
When examined ..		
When signed ..		
When despatched ..		

READ AGAIN G.O. No. ....., dated 19

" " " " ..... " 19

READ ALSO:—

C. No. 40302/32 From the Fys D, Army Dept., No. 1223/2/AD4 dated 15.11. 1932

" " Board LRs Ref. B.6840/32-2 D. 27.4. 1933

" " Do. " B.6840/32-4 " 3.7. 1933

ORDER. No. 1266, dated 17.7. 193

Bus.

Dd. (and) 19.7. Art

Do the BDLRs with a copy of letter ORD 10.7.33

The following letter will be sent to the Fys D. Army Dept.

11.7.33

Letter No. 1267 d 17.7.33

To

The Secy to the Fys D. Army Dept.

Sir,

Land (Bellary) - Bellary Cantonment - Bus stand - Transfer to the Municipal Council - Letter from the Fys D. Army Dept. No 1223/2/AD4 d.

Dd. 19.7. Art

clos

p 107

21

d. 15.11.32.

I am directed to say that the plot of land in Bellary occupied by the bus stand referred to in the letter of the Jt. Sd. quoted above formed part of S.No. 522/1 of Bellary town now S.No. 130 measured
has been subdivided and is treated as a numbered as an independent field bearing S.No. 905 with an area of 46 cents.

The Municipal Council Bellary has expressed its inability to purchase at present & says that it will consider the question when the plot is required to finances improve.

I have etc

ORD
10.7.33.

11.7.33

13/7